

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 4939
Gary K. Michelson)	
Serial No.: 10/674,971)	Group Art Unit: 3738
Filed: September 30, 2003)	Examiner: David H. Willse
For: METHOD FOR INSERTING AN)	
INTERBODY SPINAL FUSION)	
IMPLANT HAVING AN)	
ANATOMICALLY CONFORMED)	
TRAILING END)	

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), the fee of \$180.00 as specified by Section 1.17(p) is to be charged to Deposit Account No. 50-3726.

Copies of the listed non-U.S. patent documents are enclosed herewith. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to

present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: March 23, 2010

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